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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT	PAPER NUMBER
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2622

DATE MAILED: 04/07/2004

10

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/419,246

Applicant(s)

SEKIGUCHI ET AL.

Examiner

Joseph R. Pokrzywa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-15,17-29,31-42,44,45,47,49,50,52,58 and 69 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-15,17-29,31-42,44,45,47,49,50,52,58 and 69 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's amendment was received on 1/8/04, and has been entered and made of record. Currently, **claims 1, 3-15, 17-29, 31-42, 44, 45, 47, 49, 50, 52, 58, and 69** are pending.

Claim Objections

2. **Claims 7, 21, 47, and 52** are objected to because of the following informalities:

in **claim 7**, line 10, "a first determining adapted" should read "a first determining unit adapted";

in **claim 21**, line 8, "by receiving step" should read "by the receiving step";

in **claim 47**, line 10, "of the source" should read "of a source"; and

in **claim 52**, line 9, "of the source" should read "of a source".

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The rejection of **claims 4, 18, and 32**, under 35 U.S.C. 112, second paragraph, as cited in the Office action dated 10/3/03, is overcome by the changes set forth in the amendment dated 1/8/04.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1, 3-5, 7-15, 17-19, 21-29, 31-33, 35-42, 44, 45, 49, and 50** are rejected under 35 U.S.C. 102(e) as being anticipated by Shaffer *et al.* (U.S. Patent Number 6,092,114).

Regarding **claim 1**, Shaffer discloses a communication apparatus (local server 12) for forming and outputting image data on the basis of data received via a network (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), comprising a receiving unit adapted to receive data composed of a predetermined character code (column 1, lines 36 through 54, wherein converted text is included within the e-mail message through the processing using MIME, which is predetermined character code), an extracting unit adapted to analyze the data received by the receiving unit and to extract binary data encoded by the character code (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), and a converting unit adapted to convert the binary data extracted by the extracting unit into image data (step 52, through format converter 30, column 7, lines 12 through 38), a first determining unit adapted to determine whether the binary data is convertible into image data (step 50, column 6, line 66 through column 7, line 11), and a control unit adapted to transmit, if the first determining unit determines that the binary data is inconvertible, the binary data to an external

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apparatus (step 54, column 7, lines 22 through 26) and to request the external apparatus to convert the binary data into a format convertible by the communication apparatus (step 56, column 7, lines 26 through 38).

Regarding **claim 3**, Shaffer discloses the apparatus discussed above in claim 1, and further teaches that if the extracting unit extracts a plurality of types of binary data (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), the control unit selects only binary data found to be inconvertible by the first determining unit and requests the external apparatus to convert the selected binary data (column 6, line 30 through column 7, line 38).

Regarding **claim 4**, Shaffer discloses the apparatus discussed above in claim 1, and further teaches that the control unit requests the external apparatus to convert into binary data encoded by the ITU-T recommendation T.4 *or image data encoded by a predetermined encoding method* (column 1, line 36 through column 2, line 3, column 2, lines 43 through 65, and column 7, lines 12 through 38).

Regarding **claim 5**, Shaffer discloses the apparatus discussed above in claim 1, and further teaches that the first determining unit determines on the basis of information pertaining to the binary data, which is extracted from a character data portion other than the binary received character data (column 2, lines 43 through 65, and column 6, line 20 through column 7, line 11).

Regarding **claim 7**, Shaffer discloses a communication apparatus (local server 12) for forming and outputting image data on the basis of data received via a network (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), comprising a receiving unit adapted to receive data composed of a predetermined character code

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(column 1, lines 36 through 54, wherein converted text is included within the e-mail message through the processing using MIME, which is predetermined character code), an extracting unit adapted to analyze the data received by the receiving unit and to extract binary data encoded by the character code (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), and a converting unit adapted to convert the binary data extracted by the extracting unit into image data (step 52, through format converter 30, column 7, lines 12 through 38), a first determining unit adapted to determine, during a receiving session by the receiving unit, whether the binary data is convertible into image data (step 50, column 6, line 66 through column 7, line 11), and a first informing unit adapted to inform a source of the received data of the determination result from the first determining unit during the receiving session (step 54, column 5, lines 14 through 43, and column 7, lines 22 through 38).

Regarding *claim 8*, Shaffer discloses the apparatus discussed above in claim 7, and further teaches that the receiving unit receives data by an electric mail protocol (column 1, lines 43 through 54, and column 5, line 65 through column 6, line 30), and the first informing unit informs the source by using a response signal in the electric mail protocol (column 5, lines 14 through 43, and column 7, lines 20 through 38).

Regarding *claim 9*, Shaffer discloses the apparatus discussed above in claim 7, and further teaches of a second informing unit adapted to transmit, if the second determining unit determines that the data is inconvertible, a message concerning the information transmitted by the first informing unit in another session after the receiving session is completed (column 5, lines 2 through 50, and column 7, lines 12 through 38).

Regarding *claim 10*, Shaffer discloses the apparatus discussed above in claim 9, and further teaches of a second determining unit adapted to determine a language type of the source of the received binary data, which is extracted from a character data portion other than the binary data (column 2, lines 43 through 65), wherein the second informing unit transmits a message corresponding to the language type determined by the second determining unit (column 6, line 20 through column 7, line 38).

Regarding *claim 11*, Shaffer discloses the apparatus discussed above in claim 7, and further teaches of a third determining unit adapted to transmit, during the receiving session by the receiving unit, whether the binary data encoded by the character code can be decoded (column 1, line 43 through column 2, line 16, and column 6, lines 6 through 65), wherein the first informing unit informs the source of the received data of the determination result from the third determining unit during the receiving session (column 5, lines 14 through 43, and column 6, line 66 through column 7, line 38).

Regarding *claim 12*, Shaffer discloses the apparatus discussed above in claim 11, and further teaches that the receiving unit receives data by an electric mail protocol (column 1, lines 43 through 54, and column 5, line 65 through column 6, line 30), and the first informing unit informs by using a response signal in the electric mail protocol (column 5, lines 14 through 43, and column 7, lines 20 through 38).

Regarding *claim 13*, Shaffer discloses the apparatus discussed above in claim 11, and further teaches of a third informing unit adapted to transmit, if the third determining unit determines that the data is inconvertible, a message concerning the information transmitted by

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the first informing unit in another session after the receiving session is completed (column 5, lines 2 through 50, and column 7, lines 12 through 38).

Regarding *claim 14*, Shaffer discloses the apparatus discussed above in claim 13, and further teaches of a language determining unit adapted to determine a language type of the source of the received binary data, which is extracted from a character data portion other than the binary data (column 2, lines 43 through 65), wherein the third informing unit transmits a message corresponding to the language type determined by the language determining unit (column 6, line 20 through column 7, line 38).

Regarding *claim 15*, Shaffer discloses a method of forming and outputting image data on the basis of data received via a network (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), comprising the steps of receiving data composed of a predetermined character code (column 1, lines 36 through 54, wherein converted text is included within the e-mail message through the processing using MIME, which is predetermined character code), analyzing the received data and extracting binary data encoded by the character code (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), converting the extracted binary data into image data (step 52, through format converter 30, column 7, lines 12 through 38) and outputting a first determination result (step 50, column 6, line 66 through column 7, line 11), transmitting, if the first determination result indicates that the binary data is inconvertible, the binary data to an external apparatus (step 54, column 7, lines 22 through 26) and requesting the external apparatus to convert the binary data into a format

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convertible by an apparatus comprising the method (step 56, column 7, lines 26 through 38), and outputting the converted image data (step 48, column 7, lines 3 through 38).

Regarding **claim 17**, Shaffer discloses the method discussed above in claim 15, and further teaches that if a plurality of types of binary data are extracted (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), only binary data found to be inconvertible by the first determination result is selected, and the external apparatus is requested to convert the selected binary data (column 6, line 30 through column 7, line 38).

Regarding **claim 18**, Shaffer discloses the method discussed above in claim 15, and further teaches that the external apparatus is requested to convert into binary data encoded by the ITU-T recommendation T.4 *or image data encoded by a predetermined encoding method* (column 1, line 36 through column 2, line 3, column 2, lines 43 through 65, and column 7, lines 12 through 38).

Regarding **claim 19**, Shaffer discloses the method discussed above in claim 15, and further teaches that the determination for outputting the first determination result is performed on the basis of information pertaining to the binary data, which is extracted from a character data portion other than the binary received character data (column 2, lines 43 through 65, and column 6, line 20 through column 7, line 11).

Regarding **claim 21**, Shaffer discloses a method of forming and outputting image data on the basis of data received via a network (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), comprising the steps of receiving data composed of a predetermined character code (column 1, lines 36 through 54, wherein converted

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text is included within the e-mail message through the processing using MIME, which is predetermined character code), analyzing the received data and extracting binary data encoded by the character code (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), and converting the extracted binary data into image data (step 52, through format converter 30, column 7, lines 12 through 38), determining, during a receiving session by receiving step, whether the binary data is convertible into image data and outputting a second determination result (step 50, column 6, line 66 through column 7, line 11), and informing a source of the received data of the second determination result during the receiving session (step 54, column 5, lines 14 through 43, and column 7, lines 22 through 38).

Regarding **claim 22**, Shaffer discloses the method discussed above in claim 21, and further teaches that the receiving step includes receiving data by an electric mail protocol (column 1, lines 43 through 54, and column 5, line 65 through column 6, line 30), and the second determination result is transmitted by using a response signal in the electric mail protocol (column 5, lines 14 through 43, and column 7, lines 20 through 38).

Regarding **claim 23**, Shaffer discloses the method discussed above in claim 21, and further teaches of a step of transmitting, if the second determination result indicates that the data is inconvertible, a message concerning the second determination result in another session after the receiving session is completed (column 5, lines 2 through 50, and column 7, lines 12 through 38).

Regarding **claim 24**, Shaffer discloses the method discussed above in claim 21, and further teaches of determining a language type of the source of the received binary data, which is

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extracted from a character data portion other than the binary data (column 2, lines 43 through 65), wherein a message corresponding to the language type is transmitted in another session (column 6, line 20 through column 7, line 38).

Regarding **claim 25**, Shaffer discloses the method discussed above in claim 21, and further teaches of determining, during the receiving session of the receiving step, whether the binary data encoded by the character code can be decoded, and outputting a third determination result (column 1, line 43 through column 2, line 16, and column 6, lines 6 through 65), wherein the source of the received data is informed of the third determination result during the receiving session (column 5, lines 14 through 43, and column 6, line 66 through column 7, line 38).

Regarding **claim 26**, Shaffer discloses the method discussed above in claim 25, and further teaches that the receiving step includes receiving data by an electric mail protocol (column 1, lines 43 through 54, and column 5, line 65 through column 6, line 30), and the informing step includes informing the source by using a response signal in the electric mail protocol (column 5, lines 14 through 43, and column 7, lines 20 through 38).

Regarding **claim 27**, Shaffer discloses the method discussed above in claim 25, and further teaches of a step of transmitting, if the third determination result indicates that the data is inconvertible, a message concerning the third determination result in another session after the receiving session is completed (column 5, lines 2 through 50, and column 7, lines 12 through 38).

Regarding **claim 28**, Shaffer discloses the method discussed above in claim 27, and further teaches of determining a language type of the source of the received binary data, which is extracted from a character data portion other than the binary data (column 2, lines 43 through

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65), wherein a message corresponding to the language type is transmitted in another session (column 6, line 20 through column 7, line 38).

Regarding *claim 29*, Shaffer discloses a storage medium storing a computer program (column 5, lines 14 through 22, column 6, lines 6 through 15, and column 7, lines 12 through 14, being computer software, which inherently is stored in a storage medium) to be executed by a computer of a communication apparatus (local server 12) for forming and outputting image data on the basis of data received via a network (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), comprising a process of receiving data composed of a predetermined character code (column 1, lines 36 through 54, wherein converted text is included within the e-mail message through the processing using MIME, which is predetermined character code), a process of analyzing the received data and extracting binary data encoded by the character code (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), a process of converting the extracted binary data into image data (step 52, through format converter 30, column 7, lines 12 through 38), a process of determining whether the binary data is convertible into image data and outputting a first determination result (step 50, column 6, line 66 through column 7, line 11), a process of transmitting, if the first determination result indicates that the binary data is inconvertible, the binary data to an external apparatus (step 54, column 7, lines 22 through 26) and requesting the external apparatus to convert the binary data into a format convertible by an apparatus comprising the medium (step 56, column 7, lines 26 through 38), and a process of outputting the converted image data (step 48, column 7, lines 3 through 38).

Regarding **claim 31**, Shaffer discloses the medium discussed above in claim 29, and further teaches that if a plurality of types of binary data are extracted (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), only binary data found to be inconvertible by the first determination result is selected, and the external apparatus is requested to convert the selected binary data (column 6, line 30 through column 7, line 38).

Regarding **claim 32**, Shaffer discloses the medium discussed above in claim 29, and further teaches that the external apparatus is requested to convert into binary data encoded by the ITU-T recommendation T.4 *or image data encoded by a predetermined encoding method* (column 1, line 36 through column 2, line 3, column 2, lines 43 through 65, and column 7, lines 12 through 38).

Regarding **claim 33**, Shaffer discloses the medium discussed above in claim 29, and further teaches that the determination for outputting the first determination result is performed on the basis of information pertaining to the binary data, which is extracted from a character data portion other than the binary received character data (column 2, lines 43 through 65, and column 6, line 20 through column 7, line 11).

Regarding **claim 35**, Shaffer discloses a storage medium storing a computer program (column 5, lines 14 through 22, column 6, lines 6 through 15, and column 7, lines 12 through 14, being computer software, which inherently is stored in a storage medium) to be executed by a computer of a communication apparatus (local server 12) for forming and outputting image data on the basis of data received via a network (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), the computer program comprising the steps

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of a process of receiving data composed of a predetermined character code (column 1, lines 36 through 54, wherein converted text is included within the e-mail message through the processing using MIME, which is predetermined character code), a process of analyzing the received data and extracting binary data encoded by the character code (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), and a process of converting the extracted binary data into image data (step 52, through format converter 30, column 7, lines 12 through 38), a process of determining, during a receiving session by a receiving process, whether the binary data is convertible into image data and outputting a second determination result (step 50, column 6, line 66 through column 7, line 11), and a process of informing a source of the received data of the second determination result during the receiving session (step 54, column 5, lines 14 through 43, and column 7, lines 22 through 38).

Regarding *claim 36*, Shaffer discloses the medium discussed above in claim 35, and further teaches that the receiving process includes receiving data by an electric mail protocol (column 1, lines 43 through 54, and column 5, line 65 through column 6, line 30), and the second determination result is transmitted by using a response signal in the electric mail protocol (column 5, lines 14 through 43, and column 7, lines 20 through 38).

Regarding *claim 37*, Shaffer discloses the medium discussed above in claim 35, and further teaches of a step of transmitting, if the second determination result indicates that the data is inconvertible, a message concerning the second determination result in another session after the receiving session is completed (column 5, lines 2 through 50, and column 7, lines 12 through 38).

Regarding **claim 38**, Shaffer discloses the medium discussed above in claim 37, and further teaches of determining a language type of the source of the received binary data, which is extracted from a character data portion other than the binary data (column 2, lines 43 through 65), wherein a message corresponding to the language type is transmitted in another session (column 6, line 20 through column 7, line 38).

Regarding **claim 39**, Shaffer discloses the medium discussed above in claim 35, and further teaches of determining, during the receiving session of the receiving step, whether the binary data encoded by the character code can be decoded, and outputting a third determination result (column 1, line 43 through column 2, line 16, and column 6, lines 6 through 65), wherein the source of the received data is informed of the third determination result during the receiving session (column 5, lines 14 through 43, and column 6, line 66 through column 7, line 38).

Regarding **claim 40**, Shaffer discloses the medium discussed above in claim 39, and further teaches that the receiving process includes receiving data by an electric mail protocol (column 1, lines 43 through 54, and column 5, line 65 through column 6, line 30), and the informing step includes informing the source by using a response signal in the electric mail protocol (column 5, lines 14 through 43, and column 7, lines 20 through 38).

Regarding **claim 41**, Shaffer discloses the medium discussed above in claim 39, and further teaches of a step of transmitting, if the third determination result indicates that the data is inconvertible, a message concerning the third determination result in another session after the receiving session is completed (column 5, lines 2 through 50, and column 7, lines 12 through 38).

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Regarding *claim 42*, Shaffer discloses the medium discussed above in claim 41, and further teaches of determining a language type of the source of the received binary data, which is extracted from a character data portion other than the binary data (column 2, lines 43 through 65), wherein a message corresponding to the language type is transmitted in another session (column 6, line 20 through column 7, line 38).

Regarding *claim 44*, Shaffer discloses a communication apparatus (local server 12, see Figs. 1 and 2), comprising a receiving unit adapted to receive electronic mail (column 1, lines 36 through 54, and column 5, line 65 through column 6, line 9), an extracting unit adapted to analyze the electronic mail received by the receiving unit and to extract binary data attached to the electronic mail (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), a converting unit adapted to convert the binary data extracted by the extracting unit into image data (step 52, through format converter 30, column 7, lines 12 through 38), and an output unit adapted to output the image data converted by the converting unit (step 48, column 7, lines 3 through 38), wherein if the converting unit detects that the binary data is inconvertible into image data, the binary data is transmitted to an external apparatus (step 54, column 7, lines 22 through 26), and the external apparatus is requested to convert the binary data into a format convertible by the converting unit (step 56, column 7, lines 26 through 38).

Regarding *claim 45*, Shaffer discloses a communication apparatus (local server 12, see Figs. 1 and 2) comprising a receiving unit adapted to receive electronic mail (column 1, lines 36 through 54, and column 5, line 65 through column 6, line 9), an extracting unit adapted to analyze the electronic mail received by the receiving unit and to extract binary data attached to

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the electronic mail (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), a converting unit adapted to convert the binary data extracted by the extracting unit into image data (step 52, through format converter 30, column 7, lines 12 through 38), and an output unit adapted to output the image data converted by the converting unit (step 48, column 7, lines 3 through 38), wherein if during a receiving session of the electronic mail the converting unit detects that the binary data is inconvertible into image data, a source of the electronic mail is informed of a conversion error during the receiving session (step 54, column 5, lines 14 through 43, and column 7, lines 22 through 38).

Regarding **claim 49**, Shaffer discloses a method of forming and outputting image data on the basis of received electronic mail (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), comprising the steps of receiving electronic mail (column 1, lines 36 through 54, and column 5, line 65 through column 6, line 9), analyzing the received electronic mail and extracting binary data attached to the electronic mail (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), converting the extracted binary data into image data (step 52, through format converter 30, column 7, lines 12 through 38), and outputting the converted image data (step 48, column 7, lines 3 through 38), wherein if the binary data is found to be inconvertible into image data, the binary data is transmitted to an external apparatus (step 54, column 7, lines 22 through 26), and the external apparatus is requested to convert the binary data into a format convertible by an apparatus comprising the method (step 56, column 7, lines 26 through 38).

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Regarding **claim 50**, Shaffer discloses a method of forming and outputting image data on the basis of received electronic mail (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), comprising the steps of receiving electronic mail (column 1, lines 36 through 54, and column 5, line 65 through column 6, line 9), analyzing the received electronic mail and extracting binary data attached to the electronic mail (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), converting the extracted binary data into image data (step 52, through format converter 30, column 7, lines 12 through 38), and outputting the converted image data (step 48, column 7, lines 3 through 38), wherein if during a receiving session of the electronic mail the binary data is found to be inconvertible into image data, a source of the electronic mail is informed of a conversion error during the receiving session (step 54, column 5, lines 14 through 43, and column 7, lines 22 through 38).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 6, 20, 34, 47, 52, 58, and 69** are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer *et al.* (U.S. Patent Number 6,092,114) in view of Saito *et al.* (U.S. Patent Number 6,351,316, cited in the Office action dated 10/3/03).

Regarding **claims 6, 20, and 34**, Shaffer discloses the apparatus, method, and medium discussed above in claims 1, 15, and 29, respectively, and further teaches that the first determining unit determines on the basis of information pertaining to the binary data, which is extracted *from information* of received MIME data (column 1, line 43 through column 2, line 3, and column 2, lines 43 through 65). However, Shaffer does not specifically teach if the information is extracted from **header** information of received MIME data. Saito discloses a communication apparatus (see Figs. 3 and 4), comprising a receiving unit adapted to receive electronic mail (step ST601, column 4, lines 30 through 33), an extracting unit adapted to analyze the electronic mail received by the receiving unit and to extract data attached to the electronic mail (column 3, lines 5 through 11), and a converting unit adapted to convert the data extracted by the extracting unit into image data (column 3, line 64 through column 4, line 12), and a first determining unit adapted to determine whether the extracted data is convertible into image data (column 2, lines 25 through 29, and column 4, lines 13 through 61). Further, Saito teaches that the first determining unit determines on the basis of information pertaining to the data, which is extracted from header information of received MIME data (column 3, lines 5 through 11). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features of Saito in the system of Shaffer. Shaffer's system would easily be modified to include Saito's teachings, as the systems share cumulative features, being additive in nature, therein conforming to the well-known practice of using header information in an electronic mail to identify an attachment's format.

Regarding **claim 47**, Shaffer discloses a communication apparatus (local server 12, see Figs. 1 and 2), comprising a receiving unit adapted to receive electronic mail (column 1, lines 36

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through 54, and column 5, line 65 through column 6, line 9), an extracting unit adapted to analyze the electronic mail received by the receiving unit and to extract binary data attached to the electronic mail (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), a converting unit adapted to convert the binary data extracted by the extracting unit into image data (step 52, through format converter 30, column 7, lines 12 through 38), and an output unit adapted to output the image data converted by the converting unit (step 48, column 7, lines 3 through 38), wherein a language type of a source is determined *from information* of the electronic mail received by the receiving unit (column 1, line 36 through column 2, line 65, and column 5, line 56 through column 6, line 29), and electronic mail indicating the conversion error is generated by a message corresponding to the determined language type (step 54, column 5, lines 14 through 43, and column 6, line 30 through column 7, line 38).

However, Shaffer fails to specifically teach if the language type of a source is determined **from header information** of the electronic mail received by the receiving unit. Saito discloses a communication apparatus (see Figs. 3 and 4), comprising a receiving unit adapted to receive electronic mail (step ST601, column 4, lines 30 through 33), an extracting unit adapted to analyze the electronic mail received by the receiving unit and to extract data attached to the electronic mail (column 3, lines 5 through 11), a converting unit adapted to convert the data extracted by the extracting unit into image data (column 3, line 64 through column 4, line 12), and an output unit adapted to output the image data converted by the converting unit (column 3, line 64 through column 4, line 12), wherein a language type of a source is determined from header information of the electronic mail received by the receiving unit (column 3, lines 5

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through 11), and a conversion error is generated by a message corresponding to the determined language type (step ST609, column 4, line 62 through column 5, line 6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features of Saito in the system of Shaffer. Shaffer's system would easily be modified to include Saito's teachings, as the systems share cumulative features, being additive in nature, therein conforming to the well-known practice of using header information in an electronic mail to identify an attachment's format.

Regarding *claim 52*, Shaffer discloses a method of forming and outputting image data on the basis of received electronic mail (see abstract, and steps 40 and 48 in Fig. 2, column 6, lines 6 through 19, and column 7, lines 3 through 6), comprising the steps of receiving electronic mail (column 1, lines 36 through 54, and column 5, line 65 through column 6, line 9), analyzing the received electronic mail and extracting binary data attached to the electronic mail (column 1, lines 43 through 54, and column 6, lines 6 through 29, seen in step 42, wherein the bitmap data extracted in the attachment is inherently binary data), converting the extracted binary data into image data (step 52, through format converter 30, column 7, lines 12 through 38), and outputting the converted image data (step 48, column 7, lines 3 through 38), wherein a language type of a source is determined *from information* of the electronic mail received by the receiving unit (column 1, line 36 through column 2, line 65, and column 5, line 56 through column 6, line 29), and electronic mail indicating the conversion error is generated by a message corresponding to the determined language type (step 54, column 5, lines 14 through 43, and column 6, line 30 through column 7, line 38).

However, Shaffer fails to specifically teach if the language type of a source is determined **from header information** of the electronic mail received by the receiving unit. Saito discloses a method of forming and outputting image data on the basis of received electronic mail (see abstract, and column 1, lines 43 through 52), comprising the steps of receiving electronic mail (step ST601, column 4, lines 30 through 33), analyzing the received electronic mail and extracting data attached to the electronic mail (column 3, lines 5 through 11), converting the extracted data into image data (column 3, line 64 through column 4, line 12), and outputting the converted image data (column 3, line 64 through column 4, line 12), wherein a language type of a source is determined from header information of the electronic mail received by the receiving unit (column 3, lines 5 through 11), and a conversion error is generated by a message corresponding to the determined language type (step ST609, column 4, line 62 through column 5, line 6). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features of Saito in the system of Shaffer. Shaffer's system would easily be modified to include Saito's teachings, as the systems share cumulative features, being additive in nature, therein conforming to the well-known practice of using header information in an electronic mail to identify an attachment's format.

Regarding **claim 58**, Shaffer discloses a communication apparatus (local server 12, see Figs. 1 and 2) comprising an input unit adapted to input data (step 40, column 5, line 65 through column 6, line 19), a first determining unit adapted to determine whether the input data is non-image data or image data (step 42, column 5, line 56 through column 6, line 29, wherein the attachment may be an audio file, a video file, or a graphic file), a second determining unit adapted to determine whether the non-image data is *convertible* (step 50, column 6, line 66

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through column 7, line 38), a processing unit adapted to perform a converting process if the non-image data is convertible (step 52, column 6, line 66 through column 7, line 15), and a sending unit adapted to send a conversion request to another apparatus if the determination result from the second determining unit indicates that the non-image data is inconvertible (step 54, column 5, lines 14 through 43, and column 7, lines 22 through 38).

However, Shaffer does not specifically teach if the second determining unit determines whether the non-image data is **convertible into image data**. Saito discloses a communication apparatus (see Figs. 3 and 4) comprising an input unit adapted to input data (interface section 24, column 2, lines 34 through 46), a first determining unit adapted to determine whether the input data is non-image data or image data (column 2, lines 15 through 24), a second determining unit adapted to determine whether the non-image data is convertible into image data (column 2, lines 25 through 29), a processing unit adapted to perform a converting process if the non-image data is convertible (format converting section 26, column 3, line 64 through column 4, line 12), and a sending unit adapted to send a message to another apparatus if the determination result from the second determining unit indicates that the non-image data is inconvertible (column 2, lines 25 through 30, and column 5, lines 10 through 40). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features of Saito in the system of Shaffer. Shaffer's system would easily be modified to include Saito's teachings, as the systems share cumulative features, being additive in nature.

Regarding **claim 69**, Shaffer discloses a communication apparatus (local server 12, see Figs. 1 and 2) comprising an input unit adapted to input data (step 40, column 5, line 65 through column 6, line 19), a first determining unit adapted to determine whether the input data is non-

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image data or image data (step 42, column 5, line 56 through column 6, line 29, wherein the attachment may be an audio file, a video file, or a graphic file), a second determining unit adapted to determine whether the non-image data is *convertible* (step 50, column 6, line 66 through column 7, line 38), a processing unit adapted to perform a converting process if the non-image data is convertible (step 52, column 6, line 66 through column 7, line 15), a content analyzing unit adapted to detect a language type from the electronic mail (column 2, line 53 through column 3, line 13, and column 5, line 56 through column 6, line 30) and to divide, by using *MIME information*, received electronic information composed of a character code into a character code portion and a binary data portion converted into the character code (column 1, line 36 through column 2, line 24), and an error report informing unit adapted to transmit, if an error to be reported to the source occurs during the course of outputting the image data, an error report describing a content of the error by a character code (column 7, lines 20 through 38) corresponding to the detected language type to a source address detected by the content analyzing unit (step 54, column 5, lines 14 through 43, and column 7, lines 22 through 38).

However, Shaffer does not specifically teach if the second determining unit determines whether the non-image data is **convertible into image data**. Further, Shaffer does not specifically teach if the content analyzing unit detects a language type **and an address** of a source from the electronic mail and to divide, by using **MIME header information**. Saito discloses a communication apparatus (see Figs. 3 and 4) comprising an input unit adapted to input data (interface section 24, column 2, lines 34 through 46), a first determining unit adapted to determine whether the input data is non-image data or image data (column 2, lines 15 through 24), a second determining unit adapted to determine whether the non-image data is convertible

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into image data (column 2, lines 25 through 29), a processing unit adapted to perform a converting process if the non-image data is convertible (format converting section 26, column 3, line 64 through column 4, line 12), and a content analyzing unit adapted to detect a language type *and an address of a source* from the electronic mail (column 3, lines 5 through 11, and column 4, lines 13 through 19) and to divide, by using MIME *header* information, received electronic information composed of a character code into a character code portion and a binary data portion converted into the character code (column 3, lines 5 through 39, and column 4, lines 13 through 53). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include the features of Saito in the system of Shaffer. Shaffer's system would easily be modified to include Saito's teachings, as the systems share cumulative features, being additive in nature therein conforming to the well-known practice of using header information in an electronic mail to identify a sending address and an attachment's format.

Citation of Pertinent Prior Art

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Maxwell (U.S. Patent Number 5,805,810) discloses a system that analyzes received electronic mail, and transmits an error message to the sender when the format cannot be processed.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.

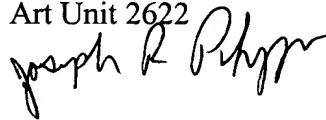
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jrj

Joseph R. Pokrzywa
Examiner
Art Unit 2622



EDWARD COLES
SUPERVISORY PATENT EXAMINER
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